

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

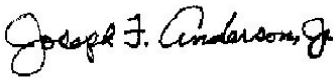
UNITED STATES OF AMERICA	)	CR No.: 3:09-483-JFA
	)	
v.	)	ORDER
	)	
DEONTE FRIERSON	)	
	)	
_____	)	

Upon motion of the defendant under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at U.S.S.G. § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the defendant's motion (ECF No. 109) is denied. Amendment 750 has no impact on the defendant's guideline range because the defendant was only held accountable for powder cocaine, not crack cocaine. The government and the defendant entered into a sentencing agreement whereby the defendant stipulated to the attribution of at least 5 kilograms, but less than 15 kilograms of powder cocaine.

IT IS SO ORDERED.

March 29, 2012  
Columbia, South Carolina

  
Joseph F. Anderson, Jr.  
United States District Judge